



U.S. Department of Justice

United States Attorney
Southern District of New York

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

July 27, 2022

BY EMAIL

Honorable Jed S. Rakoff
United States District Judge
Southern District of New York
500 Pearl St.
New York, NY 10007-1312

Re: *United States v. Vitaly Borker, 22 Cr. 273 (JSR)*

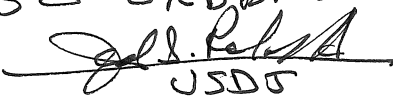
Dear Judge Rakoff:

The Government writes with respect to the upcoming conference in this matter, scheduled for August 9, 2022, at 4:00 p.m. Specifically, the Government writes to request the exclusion of time under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7), between today's date, July 27, 2022, and the date of the conference, August 9, 2022.¹ The interests served by such an exclusion outweigh the public and the defendant's interest in a speedy trial because it will allow time for the defendant to review discovery and prepare and file pretrial motions, and for the parties to engage in discussions regarding pretrial resolutions. The defendant does not object to the exclusion of time.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/Matthew Weinberg
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SO ORDERED

JSDS
7-27-22

cc (by email): Leo Shalit, Esq.

¹ On May 25, 2022, at the arraignment and initial conference in this case, the Court excluded time under the Speedy Trial Act until July 11, 2022, which was the date of the next scheduled conference. (*See Minute Entry of May 25, 2022 proceeding.*) The Court later granted two separate requests for extensions of the defendant's deadline to file pretrial motions, first from July 8, 2022 to July 22, 2022 (*see June 8, 2022 Minute Entry*), and second from July 22, 2022 to August 5, 2022 (*see July 14, 2022 Minute Entry*). Each extension was accompanied by an adjournment of the next pretrial conference, first from July 11, 2022 to August 2, 2022 (*see June 8, 2022 Minute Entry*), and second from August 2, 2022 to August 9, 2022 (*see July 27, 2022 Minute Entry*). However, time under the Speedy Trial Act was not excluded at the time of those adjournments.